CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement

STEPHEN M. HAASE, AICP, DIRECTOR

INITIAL STUDY

PROJECT FILE NO.: CP 00-03-009

PROJECT DESCRIPTION: Paving recycling facility on 1.7 acres and construction of an outfall structure into Coyote Creek. The facility will receive used asphalt and concrete paving and other demolition debris and crush the used material to make construction quality aggregate base rock for reuse in road construction. An easement over a portion of an adjoining 1 acre parcel owned by the San Jose Water Company will be used for storage and movement of materials. See attached Project Description.

PROJECT LOCATION: Berryessa Road, San Jose

GENERAL PLAN DESIGNATION: Heavy Industrial **ZONING:** HI

SURROUNDING LAND USES: Industrial uses east and south include the Graniterock asphalt and concrete plant. Site is bordered by Coyote Creek. Across creek is residential and parking area for San Jose Flea Market. See attached Project Description.

PROJECT APPLICANT'S NAME AND ADDRESS:
Graniterock Company, 11711 Berryessa Road, San Jose, CA

DETERMINATION

On the basis of this initial study:

☐	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☒	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
☐	I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
☐	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.

_____ _____

Date Signature

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

Name of Preparer:
Phone No.: (408) 277-4576

I. AESTHETICS - Would the project:

a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	1,25,26
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,25,26
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1,25,26
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☒	☐	☐	1,25,26
e) Increase the amount of shade in public and private open space on adjacent sites?	☐	☐	☐	☒	1,25,26

FINDINGS:

a, c) The site is visually isolated by the riparian corridor of Coyote Creek and the industrial land use surrounding it. It is not part of an existing scenic vista. The present condition of the site is a bare expanse of dirt, gravel, and fine demolition debris. (See site photos in attached project description and site drawings.) Formerly, there have been large volumes of illegally dumped refuse; while the property owner continues to patrol the site, it is not unusual to see trash on the site and in the vegetation along Coyote Creek. The rail line adjoins the site and the neighboring industrial uses are separated by a wood-slat chain link fence. Thus, the site has low visual quality at present.

The project will extend the industrial appearance of the present Graniterock facility to the site. Piles of unprocessed road paving and clean demolition debris and processed material will be less than 40 feet high. The portable processing plant will be brought to the site when unprocessed material has accumulated and/or when there is anticipated demand. The equipment would removed for use elsewhere when not needed. See site photos in attached project description. This change would not be considered a substantial effect.

d) The site will have only limited night lighting for security. There would be adequate lighting to allow drop-off or pick-up of materials in the period from 6 a.m. to 8 p.m. Actual recycling operations of the processing plant will be limited to the time period from 7 a.m. to 5 p.m.; there will be no high intensity lighting in the night time period.

MITIGATION MEASURES:

a, c) The site is visually screened from view from the residential area by the riparian vegetation along Coyote Creek. The site plan includes riparian restoration as mitigation for biotic effects (Measure B-1), and this will incidentally serve as additional visual screening (Measure A-2). The site plan includes a noise barrier as mitigation for noise effects (Measure N-5), and this will incidentally serve as additional visual screening.

d) The potential for light and glare impact on residential areas across Coyote Creek will be mitigated by the limitation of night time operating hours. There will be no activity on the site between 8 p.m. and 6 a.m. (Measure A-1).

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

II. AGRICULTURE RESOURCES - Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1,3,4
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒	1,3,4

FINDINGS:

The area is designated for Heavy Industry in the San Jose General Plan. The site has not been used as farmland.

MITIGATION MEASURES:

None.

III. AIR QUALITY - Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	1,14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,14,32,33
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	1,14
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	1,14,32,33
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1,14

FINDINGS:

Construction and site preparation are minimal: the site is already level and clear, approximately 2700 cubic yards of material will be excavated to improve the floodway cross section per the recommendations of the hydraulic engineer. Installation only requires paving and placement of the noise barrier supports and the storm water runoff control and outfall. Dust and diesel emissions from this project phase will be minor and short term. The project incorporates riparian plantings as a biological mitigation. This will further reduce the potential for dust and fine sediment from the site.

In operation, the facility potential to emit air pollutants is limited by emissions controls on stationary equipment. The primary emissions sources at the site are the stockpiles, the material handling, the crusher, and the diesel generator used to power the crusher.

Mineral particulate

The processing plant and generator are the subject of an air permit issued by the Bay Area Air Quality Management District (BAAQMD). The processing plant and generator are portable and hence the permit governs the units at any location. The permit sets limits to the amount of particulate that the crusher can release to the air.

The stockpiles have an inherently low potential for particulate emissions because the material is coarse, with a very low percentage of fines, and in the case of road paving debris, partially bound with asphalt.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

On-site roads would be compacted rock, similar to the other roads at the GR facility. Particulate emissions are inherently low from this paving because of a low percentage of fines. Further, vehicle speeds are low so that dust pick-up is low. During crushing plant use, dust will be abated by watering as necessary and possibly by use of any one of several dust abatement water additives. The BAAQMD has prepared a list of feasible construction dust control measures that can reduce dust impacts to a level that is less than significant. GraniteRock has adapted the construction dust control measures to apply specifically to the recycle operation (Memo: Recycling Operations Proposed Air Emissions Mitigations Aaron Johnston-Karas, Graniterock. March 18, 2003.). The following practices shall be implemented during construction activities and during dust-generating operations on the project site. With the inclusion of these mitigation measures, air quality impacts associated with construction activities and crushing plant use will be less-than-significant: Use dust abatement devices such as water sprays as listed in the BAAQMD permit to operate.

Add additional moisture content to recycled base rock haul trucks as necessary to prevent air emissions.

Water stockpiles as necessary to prevent dust emissions.

Daily Sweep the site including paved access roads, parking areas, and staging areas.

Haul roads shall be in compliance with BAAQMD emission standards.

Comply with conditions of NPDES General Industrial Storm Water Permit, including BMP, sampling and monitoring program, etc. to reduce fine sediment on site.

Diesel particulate

The portable diesel powered generator falls under new BAAQMD regulations for diesel particulate. Diesel particulate is regulated as a carcinogen and has been subjected to a health risk assessment (Illingworth and Rodkin, Inc., November, 2002. Conducted a detailed local air emissions dispersion model using actual historical weather records to show wind speed and direction for each hour of operation.

Any diesel fueled engine-generator to be used for generation of electricity will be required to meet the Bay Area Air

Quality Management District's (BAAQMD) Best Available Control Technology (BACT) emission limits of:

0.015 grams/horsepower-hour for nitrogen oxides (NOx).

2.75 grams/horsepower-hour for carbon monoxide (CO).

0.3 grams/horsepower-hour for hydrocarbons (HC).

0.1 grams/horsepower-hour for diesel particulate matter (DPM).

In order for the existing 400 horsepower engine to be used it would have to be equipped with a DPM control device to reduce the DPM emissions to the BACT level of 40 grams/ hour at full power. (See generator specifications sheet and BAAQMD Permit to Operate requirements). In actual use, the load on the generator fluctuates according to the load on the crusher: processing large chunks demands maximum power, smaller material demands low power. The assessment considered the generator running at an average of 50% power and applied several years of actual weather data for the 10 hour day time operation period to predict the concentration of diesel particulate in the vicinity.

The original Illingworth and Rodkin model run evaluated health risk to workers and to residents for operations during a hypothetical 180 days in a year. The model shows that the projected emissions level at the 180 day (1800 hour per year) operations scenario produces a maximum incremental cancer risk at the residential area of 4.6 E-6 (also expressed as 4.6 10^{-6} , meaning that exposure at this level of a million persons over a 70 year period is predicted to result in 4.6 additional cases of cancer due to this source.) This risk level exceeds the 1 E-6 (one in a million) health risk at the residential area. BAAQMD regulations would permit this exposure, but would require BACT or an alternate power source. If operations were reduced to 390 hours per year, the exposure falls below the 10^{-6} risk at the residential area.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

This finding produces the following operational options:

1) Use of utility grid electrical power and electric motor– eliminates emissions of DPM and the incremental residential and worker cancer risks from this source are zero.

2) Use of diesel fueled generator engine for up to a maximum of 390 hours per year (39 days at 10 hours/day).- Engine would have to meet BAAQMD BACT emission limits.

- Resulting maximum incremental cancer risks from DPM emissions would be less than 1 in a million.

- No additional requirements to comply with BAAQMD Risk Management Policy

3) Use of diesel fueled generator engine for over 390 hours per year, up to a maximum of 1,800 hours per year (180 days at 10 hours/day).

- Engine would have to meet BAAQMD BACT emission limits.

- Resulting maximum incremental cancer risks from DPM emissions would be greater than 1 in a million but less than 10 in a million.

- Additional requirements would require justification as to why gas fueled engine or electric motor is not practical.

Grid electric supply is a practical alternative. Alternate fuels such as natural gas or biodiesel are an option, but probably do not offer a practical advantage over electric grid connection for a high volume of work. For this reason, Graniterock includes a project alternative for provision of electrical power from the grid and eliminating the generator altogether. The equivalent electrical demand is 300 kw peak, 1500 kw-hr for the average day. This is roughly the same energy use as 85 residences in the Bay Area. The air quality impact of grid power is minimal because the power is supplied from a mixture of sources, and the fossil fuel component is generated in plants with more efficient emissions controls than can be applied to an internal combustion diesel.

Grid power has a high initial installation cost and is not the applicant's preferred alternative, particularly if the crusher were to be used only a few days per year. In 1998, Graniterock crushed and sold 49,802 tons of recycled baserock in and 29,598 tons in 1999 at this site. A smaller generator and crusher (required due to noise limitations) would process 250 tons per hour. (Memo: Project Information. Carl Jaco, Graniterock. Mar 4, 2003 and Mar 9, 2003.) According to a cost estimate obtained by Graniterock, installation of adequate electrical power to the site would cost roughly $65,000. Further, the cost of electricity is high for heavy use during the daytime peak periods. The higher cost would be amortized, however, by operations of more than 390 hours per year. The social disadvantage of grid power is that it increases local daytime electrical demand, which has been a significant problem during periods of electrical energy shortage. The plant is proposed not to operate at night, so load shifting away from peak consumption is not an option.

Regional

The purpose of the project is to provide an on-site capability for recycling paving material removed from projects which Graniterock is already supplying with new paving material. The demand for nearby recycling among Graniterock's customers stems from the efficiency to be gained by having one truck and one truck-trip carry old paving away from the work site to the Berryessa Road facility, dispose of the old paving, and pick up fresh paving for delivery back to the work site. Without the opportunity to dispose of material at the Berryessa Road facility, there would be additional truck trips and additional vehicle miles traveled. This additional travel, its cost and the associated air pollutant emissions would be avoided with the proposed nearby recycling operation.

For this reason, there is no increase, and probably a substantial net decrease, in regional mobile source emissions. To avoid increased travel to the site, Graniterock will encourage disposal of demolition debris that is not associated with pick up of fresh material.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

Additional efficiency is gained by having a recycling facility located in the north/central San Jose area. Without this facility, trucks must travel by road to the Capitol plant, located in South San Jose, resulting in increased truck traffic on the highway.

MITIGATION MEASURES:

Graniterock will employ good Best Management Practices for dust control on site (Measure AQ-1).

The diesel generator would need to meet current BAAQMD emissions standards. This will be documented by the equipment Permit to Operate (Measure AQ-2).

The diesel particulate exposure and associated health risk can be mitigated by limiting generator operations to 390 hours per year. This is enforceable because the generator is equipped with a tamper-proof, non-resettable hour meter. (Measure AQ-3).

If the Plant will be operated more than 390 hours in a 12-month period, Graniterock will supply electrical power from the utility grid (Measure AQ-4).

IV. BIOLOGICAL RESOURCES - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	1,10,28
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	1,6,10,27 ,28
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1,6,28
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐	1,10,28
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	1,11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐	1,2

FINDINGS:

b) The site adjoins Coyote Creek and the riparian vegetation along the creek. The site itself is barren ground, without vegetation. No riparian vegetation will be removed for the project. See attached biological report.

e) The City of San Jose has a riparian protection policy that requires development to be set back a minimum of 100 feet from the edge of a riparian area. The proposed recycling project would be set back an average distance of 30 feet and at minimum distance of 25 feet from the existing riparian area on Coyote Creek. The smaller set back is considered compatible with the City policy taking into account 1) the project does not propose permanent structures within 100 feet of the creek with the exception of the proposed outfall structure, 2) the project will provide substantial riparian vegetation enhancement in the buffer, and 3) the site geometry is constrained so that a 100 foot buffer would render the project impractical.

MITIGATION MEASURES:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The City has required that the project plant riparian species in a 30 foot buffer strip on the project site along Coyote Creek to mitigate adjacency impacts on the creek corridor (Measure B-1). The project will also remove invasive exotic plant species such as Arundo donax present along its border (Measure B-2). The attached biological report and attached riparian restoration plan listed the mitigation recommendations.

Mitigation 1. Ensure No Impediments to Migration. The outfall structure and its associated bank armoring will be placed outside of the streambed of Coyote Creek to avoid impediments to migration for salmonids. Rip rap will be used for bank slope protection. Consultation with the NMFS on all outfall structure designs and associated bank armoring will be necessary.

Mitigation 2. Avoid Impacts to Shaded Riverine Aquatic (SRA) Habitat. The outfall structure will be positioned in a location within the Coyote Creek riparian corridor that avoids impacts to SRA habitat. To ensure the avoidance of SRA habitat during outfall construction, the final location for the outfall structure will be determined in consultation with a qualified biologist. Although no SRA habitat or riparian vegetation will be disturbed by outfall construction, a CDFG Streambed Alteration Agreement will likely be required for outfall construction.

Mitigation 3. Avoid Construction Within or Along the Channel During the Wet Season. Construction within or along the channel should be restricted to the dry season (June 1 —September 30), the period in which there is minimal water in the channel and in which movement of steelhead and Chinook salmon within the project area is expected to be minimal. Chinook salmon redds downstream from the site should not be impacted, directly or indirectly, *if* construction occurs during this time. Furthermore, impacts to the movement of anadromous fishes through the project area should be minimal during this time.

Mitigation 4. Maintain Connectivity of the Stream Channel During Construction. Because it is possible that juveniles could be moving downstream during any time of the year, including the dry season, measures should be taken to ensure that movement of these species is not prevented by any water diversion structures used during construction, regardless of when construction occurs. Water should be diverted through the site by way of an open ditch (rather than a pipe) connecting portions of Coyote Creek immediately upstream and downstream of the site. The plastic-lined ditch should be lined with cobble-sized stones to deter predation by making the salmonids less conspicuous as they pass through the channel. Water within this ditch should be at least 12 inches deep, and no impediments to movement, such as high drop structures, should be present.

Mitigation 5. Minimize Impacts to Water Quality. Measures to prevent or minimize a reduction in water quality during the outfall structure construction are also necessary. If construction occurs during the period June 1 — September 30, minor sedimentation of the stream resulting from construction activities is not expected to impact steelhead or salmon redds downstream, as redds are not active during this period. Small amounts of sediment that accumulate in gravelly spawning areas will likely be flushed when flows increase after rainfall the following late fall and winter, and therefore no permanent impacts to downstream spawning habitat are anticipated. In addition, if the mitigation measures listed above under *Degradation of Water Quality During Construction* are implemented, water quality related impacts to steelhead and Chinook salmon should be reduced to less-than-significant levels.

V. CULTURAL RESOURCES - Would the project:

a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	☐	☐	☐	☒	1,7,37
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐	1,8,37
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	1,8
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	1,8

DISCUSSION OF IMPACTS

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

A cultural resources survey and records search was conducted by Basin Research Associates, July 2000, attached. The report concluded that here was a low probability of cultural resources impact.

MITIGATION MEASURES:

MANAGEMENT RECOMMENDATIONS

It is the considered opinion of Basin Research Associates, based on a review of pertinent records, maps and other documents, and a field inventory that the proposed project can proceed as planned in regard to prehistoric and historic archaeological resources. See reference 37. Archaeological Evaluation Report, Graniterock Berryessa Road Material Facility, City of San Jose, Santa Clara County, Basin Research Associates, July 2000.

No further archaeological work is necessary unless project plans change to include unsurveyed areas. No subsurface testing for buried archaeological resources appears necessary at this time. Archaeological monitoring is not recommended, as the project area does not appear to be sensitive for either buried prehistoric or historic cultural resources. However, if any significant cultural materials are exposed or discovered during either site clearing or during subsurface construction, operations should stop within 25 feet of the find and a qualified professional archaeologist contacted for further review and recommendations. Potential recommendations could include evaluation, collection, recordation, analysis, etc. of any significant cultural materials followed by a professional report.

Note: Significant prehistoric cultural resources are defined as human burials, features or other clusterings of finds made, modified or used by Native American peoples in the past. The prehistoric and protohistoric indicators of prior cultural occupation by Native Americans include artifacts and human bone, as well as soil discoloration, shell, animal bone, sandstone cobbles, ashy areas, and baked or vitrified clays. Prehistoric materials may include:

a. Human bone - either isolated or intact burials.

b. Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors).

c. Artifacts including chipped stone objects such as projectile points and bifaces;

groundstone artifacts such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; and, shell and bone artifacts including ornaments and beads.

d. Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction),

distinctive changes in soil stratigraphy indicative of prehistoric activities.

e. Isolated artifacts

Historic cultural materials may include finds from the late 19th through early 20th centuries. Objects and features associated with the Historic Period can include:

a. Structural remains or portions of foundations (bricks, cobbles/boulders, stacked fieldstone, postholes, etc.

b. Trash pits, privies, wells and associated artifacts.

c. Isolated artifacts or isolated clusters of manufactured artifacts (e.g. glass bottles, metal cans, manufactured wood items, etc.)

d. Human remains

VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒	1,5,24
2) Strong seismic ground shaking?	☐	☐	☐	☒	1,5,24,
3) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,5,24, 19
4) Landslides?	☐	☐	☐	☒	1,5,24
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	1,5,24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,5,24
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒	1,5,24
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1,5,24

FINDINGS:

The project involves no permanent structures or human occupancy. The general area of San Jose is seismically active, and the project site is within the State of California Seismic Hazard Zone. The raw material pile and crushed material pile are formed by mechanically dropping material so that it naturally settles at a fairly stable angle of repose. On standing, the material tends to knit together and become more stable. The piles are far enough from the site boundary that they would not affect off site land use if they were to further slump during an earthquake.

Carl Jaco, Graniterock Road Materials Plant (Berryessa Road) addressed the issue of pile stability for worker safety under normal operations and under earthquake shaking. “The shape and nature of the inbound product is angular and irregular. The size of the material could be as small as ½ inch and as large as 3 feet. When the material is dumped out of the truck these pieces interlock like a puzzle, which results in a very stable pile. During the October 89 Earthquake we had stockpiles of raw and finished material in Redwood City and there were no issues with piles falling. To my knowledge, there were no problems with the stockpiles at the Wilson Quarry or any of our other facilities during the 1989 quake. Since there is a small amount of asphalt in the recycled material as the pile heats up the material tends to stick to itself much like two pieces of "Lifesaver Candy" when it is packaged together. This prevents the finished piles of product from falling or washing away. When we want to load the finished material in a truck, we do it just like you would use your teeth or fingers to break apart the Lifesavers. We use a front end loader to break up the recycle pile and get the material to flow.” (Reference 30).

MITIGATION MEASURES:

A soil investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the Project Engineer and/or City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CDMG Spec. Publ. 117) and the Southern California Earthquake Center). A recommended depth of 50 feet should be explored and evaluated in the investigation, as stated in the Public Works memo No. 3-14489 dated July 8, 2003.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	1
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1,12
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1

FINDINGS:

None of the material to be recycled will be hazardous material. It is handled by loaders and operators would be able to see any inappropriate material included.

MITIGATION MEASURES:

None.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐	1,15,17
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	1
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☒	☐	☐	1,26,38

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
d) Result in increased erosion in its watershed?	☐	☐	☐	☒	1
e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	☐	☒	☐	☐	1,26,38
f) Substantially alter drainage patterns due to changes in runoff volumes and flow rates?	☐	☐	☒	☐	1,26,38
g) Result in increased impervious surfaces and associated increased runoff as specified in the NPDES permit and the City's Post Construction Urban Runoff Management Policy?	☐	☐	☒	☐	1,26,38
h) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,17
i) Result in an increase in pollutant discharges to receiving waters such as heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash?	☐	☐	☒	☐	1,17
j) Result in an increase in any pollutant for which the water body is already impaired as listed on the Clean Water Act Section 303 (d) list available from the State Water Control Board?	☐	☐	☐	☒	1,17
k) Result in alteration of receiving water quality during or following construction including clarity, temperature, and level of pollutants?	☐	☐	☐	☒	1,17
l) Substantially alter surface water quality, or marine, fresh, or wetland waters as specified in the NPDES permit?	☐	☐	☐	☒	1,17
m) Substantially alter ground water quality as specified in the NPDES permit?	☐	☐	☐	☒	1,17
n) Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses as specified in the NPDES Permit, General Plan, and City policy?	☐	☐	☐	☒	1,17
o) Otherwise substantially degrade water quality?	☐	☐	☐	☒	1,17
p) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,9
q) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☒	☐	☐	1,9,26,38
r) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	1
s) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

FINDINGS:

a), c) At present, the site has no established drainage, but runoff flows overland or through the soil to Coyote Creek. The project would pave the work area and direct runoff to a silt and oil separator device prior to discharge to Coyote Creek. The discharge would be constructed to the requirements of the Santa Clara Valley Water District.

h) The site is entirely within the 100-year floodplain of Coyote Creek. The project would not place human habitation or permanent structures in the flood plain. The project will place temporary stockpiles of paving material before- and after- recycling. Flood flows from the 10-year or greater storm (e.g. the 100-year storm) cause water to spill over the banks of Coyote Creek and flood the project site. In the 100 year storm, water levels on the site would rise 3 to 4 feet. Under these conditions, the site becomes a part of the Coyote Creek floodway and flood water moves through the site.

A detailed hydraulic study was prepared to assess project design (reference 38. Flood Hydraulics Study, Berryessa Road Materials Asphalt/Concrete Recycling Center, Schaaf & Wheeler, Consulting Civil Engineers, June 5, 2003). With the site in its present condition, addition of the piles of unprocessed or processed material would block a part of the floodway, reducing the flood stage flow and causing water levels immediately up stream to rise, enlarging the area subject to flooding. In the 100 year flood , the maximum increase in the estimated water surface elevation was 0.36 ft at section 88800, approximately 600 ft upstream of the project site at the Graniterock plant toward Berryessa Road. There would not be increased flooding at Berryessa Road itself.

To avoid this increase, the project was modified 1) to include minor excavation of the site, increasing the floodway cross section and 2) winter operation program will be used to change the shape, size, and location of the material storage to maintain no net obstruction to flood water flows. This combination mitigates potential impacts to less than significant. The revised grading condition consists of lowering the proposed grade by 2 feet within the project limits. The revised grade will match existing grade at the southern property line. The revised grade will match the original proposed grade midway between the north property line and the 30 foot offset from Coyote Creek. The revised grade will slope up and/or down at a 3H to 1V side slope to match existing grade at the project limits. Even though there will be some excavation, no fill, equipment, or material will be placed within the 30 foot setback from Coyote Creek. The revised grading would include approximately 2700 cy of excavation to be removed from the project site.

The recyclable material piles will be a pseudo-triangular pile and will extend approximately 300 feet from the concrete storage bin on the eastern end to the truck turnabout on the western end. The pile will be approximately 50 feet wide at the toe at Section C-C and 30 feet wide at Section B-B. For the hydraulic analysis, the pile was assumed to be 10-12 feet high and have 40 degrees side slopes.

The results of the hydraulic modeling indicate that the revised project condition would not cause an increase in the 100-year energy grade elevations within the project limits nor would it create an increase in the 100-year water surface or energy grade elevations upstream of the project. The estimated 100-year water surface elevation for the revised project condition is approximately 0.16 feet lower than the existing condition at section 88800.

Regarding potential Degradation of Water Quality During Construction and Recycling Facility Operation, the Biotics Assessment addressed the work that would be done in the creek for the drainage outfall.

Work within the channel, including excavation and backfilling for placement of rip rap and cutoff walls, and construction of coffer dams to dewater the work area and their subsequent removal, could potentially degrade the existing water quality of Coyote Creek. In addition, operation of the recycling center facility and dust created from associated truck traffic could potentially degrade existing water quality. However, prevailing winds will typically blow dust from the operation of the facility parallel to and/or away from the river. Also, the native riparian trees and shrubs that are to be planted within the 30-foot riparian setback will aid in screening dust from the stream.

MITIGATION MEASURES:

The following measures are proposed to reduce this potential impact to a less-than-significant level. The project applicant intends to conform with Best Management Practices (BMP) as described under Section 7-1.01G 'Water Pollution' (Caltrans 1992). Implementation of the mitigations described below will reduce potential impacts to aquatic species. The following recommendations by the CDFG must be followed regardless if the watercourse on site is dewatered or not in order to comply with proper mitigation measures:

Mitigation 1. Avoidance. No equipment will be operated in the live stream channel.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

Mitigation 2. Stream Diversion. When work in a flowing stream is unavoidable, any streamflow shall be diverted around the work area by a barrier, temporary culvert or a new channel capable of permitting upstream and downstream fish movement.

Mitigation 3. Barrier or Channel Construction. Construction of the barrier or the new channel shall normally begin in the downstream area and continue in an upstream direction and the flow shall be diverted only when construction of the diversion is completed.

Mitigation 4. Sediment Control. No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State.

If these measures are implemented, then potentially adverse effects upon water quality will be reduced to a less-than-significant level. If these measures fail, however, the project applicant is to consult with local representatives of the CDFG and USFWS to develop contingency mitigation measures.

Floodway impact will be mitigated by requiring Graniterock to prepare the site , and to use the winter flood season (October 15 to April 15) storage configuration as recommended by Schaaf & Wheeler, Consulting Civil Engineers, June 5, 2003.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	☐	☐	☐	☒	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐	1,2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,2

DISCUSSION OF IMPACTS

The site is designated Heavy Industry in the General Plan. The proposed use is consistent with the present zoning.

MITIGATION MEASURES:

With mitigation specified in Biotics Report, conflict with policies and regulations of agencies with jurisdiction over the project will be reduced to less than significant impact. See also discussion of City of San Jose riparian protection policy under IV, Biological Resources.

X. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2,23

FINDINGS:

In operation, the recycling project would have a beneficial impact on mineral resources by allowing old paving material to be used as road base instead of new material.

MITIGATION MEASURES:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

None.

XI. NOISE - Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒	1,2,13,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1, 34, 35, 36
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	1, 34, 35, 36
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1

FINDINGS:

Background

The recycling project site is in an industrial area, across Coyote Creek from a recently built residential area. The residents have complained about noise from the industrial area. An extensive series of noise studies was conducted to assess the potential impact of the proposed recycling operation. Measurements were made for week and weekend days in September, 2000. Recorders were placed at the recycling site itself, in the residential area at Notting Hill Drive at Chessington Drive (500 feet from site), and at Bellemeade and Sierra Road (1100 feet from site). Several noise statistics (average sound level, background, highest 1%, etc.) were recorded in 15-minute intervals.

Setting

The project site is set back from Berryessa Road and roadway noise is minor. The main noise sources present are the industrial area, aircraft over flights, the San Jose Flea Market, and general urban ambient noise. The industrial noise sources are the existing Graniterock operation, the metal recycler, and an automotive part recycler. A Union Pacific rail spur runs along the site. The site is two miles east of San Jose International Airport and 3.7 miles northwest of the Reid-Hillview general aviation airport.

The environmental monitoring clearly shows an increase in ambient noise with the beginning of the work day and on Flea Market days. Present average (Leq) noise levels in the residential areas are in the 40 dB to 50 dB range at night and in the 50 dB to 60 dB range during the day. From observations made at the site, commercial aircraft overflights contribute significantly to the overall average noise exposure. The transition from nighttime to daytime ambient noise levels corresponds to the 6:00 am and 11:00 pm operations limitation on flights at San Jose International Airport and the generally lower traffic and overall urban activity level. The Ldn, a weighed 24-hour average noise level, was calculated as 56.4 dBA to 65.9 dBA. These levels are considered high for residential areas according to the General Plan policy, but are in fact not unusual for residential areas in the City, particularly along transportation corridors.

The industrial land uses can be regarded as two types of noise: 1) generalized, low frequency activity that tends to blend with the other urban noise, 2) brief, loud, characteristic noises such as dropping metal, banging rail cars, and the back-up alarm beeper on trucks and heavy equipment. In sound measurement, the former, general source contributes most of the acoustic energy to the measured ambient noise because it is of long duration, but to a listener, it is not particularly remarkable. In noise charts, the average sound level is indicated by the Leq. The latter, the brief loud noises, do not add much actual sound energy to the day, but are clearly recognized above the background noise and

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

contribute to residents' annoyance. In noise charts, the brief noise is indicated by the L01 and L10, the levels exceeded 1% and 10% of the time, respectively.

Impact

Noise potential for the processing plant was estimated based on field measurements of crusher equipment in operation elsewhere. The type of equipment strongly influences the noise produced. As a result of the field measurements, Graniterock elected to use a smaller, quieter processing plant model, with operation sound levels limited to 60 dBA Leq at a reference distance of 100 feet.

The processing plant itself will be audible in the nearer part of the residential neighborhood, along Notting Hill Drive and on the first few rows of homes on Chessington. Average ambient sound levels during the day are sufficiently high that the processing plant would not raise sound levels by more than 3 dB. In itself, this is not a significant impact.

The processing plant would generally not be audible at the Bellemeade site, because of its greater distance and because of the higher existing ambient noise level from traffic on Berryessa Road and the existing Graniterock operation.

Some aspects of the industrial operation will be more noticeable, particularly the back-up beeper. A front loader would be used at the recycling site to collect debris and load the processing plant. The cycle of load, reverse, drop, reverse will mean that there will be regular, continuous beeper sound while the processing plant is operating. These sounds will be audible above the background noise. Back-up alarm beeper noise from the existing industrial uses is audible in the residential area; the recycling project would increase the extent of that type of activity and bring it a few hundred feet closer than it is a present. Graniterock proposes to use a sound barrier 14-feet high, running the length of the crusher activity, approximately 100 feet, which will attenuate noise by roughly 10 dB within a few hundred feet of the site.

At night the ambient sound level drops by 10 dB and processing plant operations then would be clearly significant. The proposed limitation in operating hours from 7 a.m. to 5 p.m. is important to avoid that component of night time impact.

Recycled material is proposed to be available for loading out from 6 a.m. to 8 p.m. Loader operations would be prohibited before or after that time period. Sound level measurements were made of this operation. The load-out operation entails noise from the front loader picking up material and from the impact of material in the receiving truck bed. Because the operation would be at the north end of the property, closest to the residential neighborhood, it produces brief periods of noise at 65 dBA and is distinctly audible above ambient.

Graniterock proposes to limit hours when trucks drop-off used paving at the site from 6 a.m. to 8 p.m., the same as for loading out. Graniterock serves night time paving jobs; any after hours material will be dumped elsewhere and transferred to the recycle storage pile during the permitted hours. All material would be brought or taken away by truck. The recycling operation would not be served by rail and there would be no change in rail use noise.

In summary, with limited hours for the processing plant and use of the quieter equipment, the recycling operation will not appreciably increase average ambient sound levels in the residential neighborhood. The sound levels at the edge of the site would conform to the City General Plan policy for industrial use areas. Through back-up alarms and occasional nigh time truck trips, the recycling operation will increase the resident's awareness of the adjacent heavy industrial zoning. Restriction of the type of processing plant and the hours of operation will serve to mitigate the potential to significantly elevate ambient sound levels off-site.

MITIGATION MEASURES:

The following measures will reduce the potential for noise impact on the residential area to insignificance. Equipment will still be audible, particularly the back-up alarm beeper, but the overall CNEL and any hourly Leq will increase less than 3 dB.

The generator and crusher will be a model that produces a noise level of 60 dBA one hour Leq or less at a distance of 100 feet

The hours of operation will be limited to reduce impact on residential areas

Crusher operations: 7 a.m. to 5 p.m. Monday through Saturday.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

Raw material drop-off : 6 a.m. to 8 p.m. Monday through Saturday.

Processed material load-out: 6 a.m. to 8 p.m. Monday through Saturday.

No operation on Sunday.

The crusher operation area will have a sound barrier installed at all times the crusher is located on-site.

XII. POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

FINDINGS:

None.

MITIGATION MEASURES:

None.

XIII. PUBLIC SERVICES - Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	☐	☐	☐	☒	1,2
Police Protection?	☐	☐	☐	☒	1,2
Schools?	☐	☐	☐	☒	1,2
Parks?	☐	☐	☐	☒	1,2
Other Public Facilities?	☐	☐	☐	☒	1,2

FINDINGS:

None.

MITIGATION MEASURES:

None.

XIV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1,2

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒	1,2

FINDINGS:

None.

MITIGATION MEASURES:

None.

XV. TRANSPORTATION / TRAFFIC - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	☐	☐	☐	☒	1,2,19
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒	1,2,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	1,19
e) Result in inadequate emergency access?	☐	☐	☐	☒	1,20
f) Result in inadequate parking capacity?	☐	☐	☐	☒	1,18
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	1,2,18

FINDINGS:

The purpose of the project is to provide nearby capability for recycling paving material removed from projects which Graniterock is already supplying with new paving material. The demand for nearby recycling among Graniterock's customers stems from the efficiency to be gained by having one truck and one truck-trip carry old paving away from the work site to the Berryessa Road facility, dispose of the old paving, and pick up fresh paving for delivery back to the work site. For this reason, there is no increase in truck traffic on roads leading to the site. To avoid increased travel to the site, Graniterock will encourage disposal of demolition debris that is associated with pick up of fresh material. It is expected that approximately 90% of the demolition debris will be associated with pick up of fresh material.

MITIGATION MEASURES:

None.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1,15

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1,2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☒	☐	☐	1,17
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	1,21

FINDINGS:

The project will not increase stormwater runoff substantially, nor will it be a source of wastewater or solid waste. All stormwater from the site will be collected and passed through an oil separator that will eliminate petroleum and fine particles before discharge to Coyote Creek. A new outfall structure will be constructed to drain runoff into the creek. In operation, the pavement recycling will provide a beneficial impact on solid waste management in the San Jose area by making it easier and lower transportation cost to recycle old road materials.

No material will be disposed of at the site and materials will not accumulate. The amount of storage on site is limited by space. The pile designated for holding unprocessed material has a capacity of less than 3000 cubic yards; that volume of material could be processed in two work days using the proposed crusher at 250 tons/hour. Finished material storage is similarly limited. Finished material is a valuable product and would be sold as soon as possible. The project would entail no permanent storage of waste and hence is not a landfill.

MITIGATION MEASURES:

None.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	1,10
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects and the effects of other current projects.	☐	☐	☒	☐	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	1

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

FINDINGS:

a) The site is now completely bare and unvegetated. It has no present value as habitat of a fish or wildlife species. The nature of the activities on-site will have minimal impact on the adjoining Coyote Creek [with the mitigation incorporated as stated in the Berryessa Recycling Facility Biotics Assessment. H. T. Harvey and Associates. Revised June 27, 2002. No riparian vegetation will be removed.

b) The proposed recycling project is in an existing industrial area. Existing industrial operations produce noise, air pollutant emissions, and add traffic to area roadways. The recycling project itself will add to the existing background, but with the proposed mitigation will have a less than significant effect on noise and air pollutant emissions, and will add no traffic.

c) At present, the site has no established drainage, but runoff flows overland or through the soil to Coyote Creek. The project would pave the work area and direct runoff to a silt and oil separator device prior to discharge to Coyote Creek. The discharge would be constructed to the requirements of the Santa Clara Valley Water District.

d) The site is entirely within the 100-year floodplain of Coyote Creek. The project would not place human habitation or permanent structures in the flood plain. The project will place temporary stockpiles of paving material before- and after- recycling. Flood flows from the 10-year or greater storm (e.g. the 100-year storm) cause water to spill over the banks of Coyote Creek and flood the project site. In the 100 year storm, water levels on the site would rise 3 to 4 feet. Under these conditions, the site becomes a part of the Coyote Creek floodway and flood water moves through the site.

MITIGATION MEASURES

The project plan provides for additional riparian plantings along Coyote Creek to buffer the site activities and to provide a net enhancement of the riparian corridor. See biotics mitigation measures in Section IV.

Measures to reduce air pollutant emissions, primarily Diesel Particulate Matter, and noise emissions will minimize cumulative impacts of industrial activities in the area. See air quality mitigation measures in Section III and noise mitigation measures in Section XI.

Measures to reduce flood impacts and water quality impacts will minimize these impacts to a less than significant level. See hydrology and water quality measures in Section VIII.

EARLIER ANALYSIS

Earlier Analysis Used:

Impacts Adequately Addressed:

Mitigation Measures:

CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. CP00-03-009
2. San Jose 2020 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

7. San Jose Historic Resources Inventory
8. City of San Jose Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San Jose Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San Jose Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San Jose, SJ 2020 General Plan
17. Santa Clara Valley Water District
18. City of San Jose Title 20 Zoning Ordinance
19. San Jose Department of Public Works
20. San Jose Fire Department
21. San Jose Environmental Services Department
22. San Jose Water Company, Great Oaks Water Company
23. California Division of Mines and Geology
24. Cooper Clark, San Jose Geotechnical Information Maps, July 1974
25. Project Description. Graniterock. March 13, 2003.
26. Site plan drawings. Graniterock.
27. Riparian Restoration Plan drawings. Graniterock.
28. Berryessa Recycling Facility Biotics Assessment. H. T. Harvey and Associates. Revised June 27, 2002
29. Memo: Electrical grid connection cost. Carl Jaco, Graniterock.
30. Memo: Project Information. Carl Jaco, Graniterock. Mar 4, 2003 and Mar 9, 2003.
31. Memo: Recycling Operations Proposed Air Emissions Mitigations Aaron Johnston-Karas, Graniterock. March 18, 2003.
32. Health Risk Analysis For A Proposed Diesel-Fired Generator At The Granite Rock San Jose, California Facility, Illingworth and Rodkin, Inc., November, 2002.
33. BAAQMD Permit to Operate
34. Noise Monitoring of Unloading (Drop-off) and Loading (Pick-up) Components of the Proposed Recycling Operation at Granite Rock, Berryessa Road, San Jose, CA. , Thomas Reid Associates, March 30, 2001.
35. Noise Monitoring of Nighttime Unloading (Drop-off) and Loading (Pick-up) Components of the Proposed Recycling Operation at Granite Rock, Berryessa Road, San Jose, CA. , Thomas Reid Associates, April 26, 2001.
36. Community Noise Exposure for the Proposed Recycling Operation at Granite Rock, Berryessa Road, San Jose, CA. , Thomas Reid Associates, May 7, 2001.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

37. Archaeological Evaluation Report, Graniterock Berryessa Road Material Facility, City of San Jose, Santa Clara County, Basin Research Associates, July 2000

38. Flood Hydraulics Study, Berryessa Road Materials Asphalt/Concrete Recycling Center, Schaaf & Wheeler, Consulting Civil Engineers, June 5, 2003